

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:)	Chapter 11
)	
)	Case No. 01-01139 (JKF)
W.R. Grace & Co., <u>et al.</u> ,)	(Jointly Administered)
)	
Debtors.)	Re: Docket No. 14288
)	1/23/07 Agenda Item No. 13

**ORDER REGARDING METHODOLOGY ISSUE FOR
ASBESTOS PROPERTY DAMAGE CLAIMS**

WHEREAS The Debtors and the Official Committee of Asbestos Property Damage Claimants have stipulated and agreed to the attached Stipulation regarding the PD Methodology Issue;

IT IS HEREBY ORDERED:

(1) The attached Stipulation is approved;

(2) The Court has issued pronouncements on the Methodology Issue in footnote 103 of its December 14, 2006 ZAI Opinion (Dkt. No. 14014) and based on the parties' agreement those pronouncements shall constitute the ruling of the Court as to the issues that are the subject of the Methodology Issue, and shall be applicable to the determination of the Debtors' objections to property damage claims which are the subject of the Amended Order Setting Various Deadlines Regarding Objections to Asbestos Property Damage Claims of October 13, 2006 (the "Debtors' PD Claims Objections") (Dkt. No 13406). Accordingly, the hearing on the Methodology Issue, which had been scheduled for January 29, 30, and 31, 2007, shall be cancelled;

(3) This Order and the attached Stipulation shall not affect the right of any Party to appeal the determination of Debtors' PD Claims Objections on any grounds;

(4) This Order and the attached Stipulation shall have no effect on ZAI Claimants and cannot be used by any party in connection with the ZAI Appeal;

(5) All discovery and depositions related to the hearing on the Methodology Issue will be cancelled, however the parties reserve all of their rights with regard to discovery related to the adjudication phases for product identification, statutes of limitation and lack of hazard; and

(5) This Order amends the October 13, 2006 Amended Order Setting Various Deadlines Regarding Objections to Asbestos Property Damage Claims (Dkt. No. 13406) with respect to the matters set forth in this Order.

Dated: January 23 2007

Judith K. Fitzgerald

Honorable Judith K. Fitzgerald
United States Bankruptcy Judge *JPC*